

LAW OFFICE OF GREGORY JAVARDIAN, LLC  
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Hearing Date: **January 28, 2025,**  
**at 11:00 am in Courtroom 4,**  
**United States Bankruptcy Court,**  
**900 Market Street, Philadelphia,**  
**PA 19107**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Glenn T. Pembleton, Jr.  Debtor(s)	Chapter 13 Proceeding  24-12741 AMC
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**MOTION OF CITIZENS BANK, N.A. FOR RELIEF OF FROM THE AUTOMATIC  
STAY**

AND NOW, comes secured Creditor, Citizens Bank, N.A. (Movant) by and through its counsel, Mary F. Kennedy, and files this Motion to obtain an order for Relief from the Automatic Stay due to debtor(s) failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about August 6, 2024, Debtor(s) filed a Chapter 13 Bankruptcy Petition.
2. On August 5, 2022, the debtor executed a Mortgage and Note to Movant in the amount of \$75,000.00 and secured by the property located at 1431 E. Mount Pleasant Avenue, Philadelphia, PA 19150, referred to as the "property." The Mortgage was recorded on August 9, 2022 in the Philadelphia County Recorder of Deeds Office at doc id. 54082272 (See Exhibit "A" attached).
3. The debtor is presently in arrears post-petition for three (3) months, October 1, 2024 to December 1, 2024. The total arrears including \$1,249.00 for attorney fees and costs is \$3,512.17.
4. Movant wishes to have the automatic stay terminated to permit Movant to complete foreclosure on its mortgage.
5. Pursuant to 11 U.S.C.A. section 362 (d) (1), cause exists to grant Movant relief from the stay.

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6. Movant requests that if relief from the stay is granted that Federal Rule of Bankruptcy Procedure 3002.1 be waived.

WHEREFORE, Movant respectfully requests this Honorable Court ORDER:

That Relief from the Automatic Stay be granted to Citizens Bank, N.A. to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy Law. That the relief granted by the Court will survive the conversion of this bankruptcy case to a case under any other Chapter of the Bankruptcy Code. And that bankruptcy Rule 4001(a)(3) is not applicable, and Movant is allowed to immediately proceed with foreclosure and all other relief available under the non-bankruptcy law. That Federal Rule of Bankruptcy Procedure 3002.1 is no longer applicable. Furthermore, Movant respectfully requests that reasonable attorney fees and costs associated with this Motion be awarded to Movant.

RESPECTFULLY SUBMITTED,

/s/ MARY F. KENNEDY, ESQ.

Dated: December 27, 2024